

FILED

SEP 21 2015

**SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JESSE BLUE,)	No. C 15-3369 LHK (PR)
Petitioner,)	ORDER OF DISMISSAL
v.)	
WARDEN ELVIN VALENZUELA,)	
Respondent.)	

On July 21, 2015, petitioner, a state prisoner proceeding *pro se*, filed a federal writ of habeas corpus, motion to appoint counsel, and “declaration of indigency.” That same day, the court sent a notification to petitioner, informing him that he did not pay the filing fee, and his application to proceed in forma pauperis (“IFP”) was incomplete. The court provided petitioner with a blank IFP application, along with a return envelope, and a notification that the case would be dismissed if petitioner failed to pay the fee, or file a completed application with supporting documentation within twenty-eight days.

On August 4, 2015, petitioner sent to the court a letter that stated that the “filing fee is going through the process of the trust office.” Petitioner has not submitted any evidence supporting that statement. To date, no filing fee has been filed, nor has petitioner filed a complete IFP application. As more than twenty-eight days have passed since petitioner was instructed to do so, this case is DISMISSED without prejudice. The clerk shall terminate all pending motions and close the case.

1 IT IS SO ORDERED.

2 DATED: 9/17/2015

Lucy H. Koh

LUCY H. KOH
United States District Judge

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